

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

Hector A. Jones

DATE: 12/30/02

PATENT
BOX RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of : Group Art Unit 1615
Douglas E. Kligman, *et al.* :
Appln. No: 09/131,076 : Examiner: Susan Tran
Filed: August 7, 1998 :
Title: COMPOSITION AND METHOD OF :
EFFECTING SUPERFICIAL CHEMICAL : Attorney Docket
SKIN PEELS : No. 10052-1U1

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JAN 09 2003
TECH CENTER 1600/2900

AFTER FINAL REQUEST FOR CONTINUED EXAMINATION (RCE)
UNDER 37 C.F.R. 1.114

This is a request under 37 CFR 1.114 for continued examination (RCE) of the above-identified application in response to the Office Action mailed March 22, 2002 (Paper No. 24). This request is being timely filed in view of the filing of a Petition for Extension of Time and Notice of Appeal on July 22, 2002 (received by the Patent Office on July 29, 2002), and the filing herewith of a Petition for a Three Month Extension of Time to and including December 30, 2002 (December 29 being a Sunday). Enclosed are the following in support of the RCE under 37 C.F.R. 1.114:

- ☐ Enter the unentered Amendment previously filed on under 37 CFR 1.116 in the above application.
- ☒ Preliminary Amendment.
- ☐ An Information Disclosure Statement, PTO-1449 and cited references.
- ☐ New formal drawings.
- ☒ A Petition for Three Month Extension of Time to December 29, 2002 for the pending application.
- ☐ Other:

The following fees are enclosed:

- ☒ RCE fee of \$ 370.00 required under 37 C.F.R. 1.17(e).
- ☒ Extension of time fee in the amount of \$ 460.00.

☐ Additional claim fees of for excess claims submitted in the enclosed Amendment, calculated as follows:

| | | | | | SMALL ENTITY | | LARGE ENTITY | |
|--|---|-----|---------------------------------------|------------------|--------------|------------|--------------|---------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | RATE | ADDIT. FEE |
| TOTAL | | (-) | or 20 | | x9 | | x18 | |
| INDEP. | | (-) | or 3 | | x40 | | x80 | |
| <input type="checkbox"/> 1st PRESENTATION OF MULTIPLE DEPENDENT CLAIMS | | | | | +\$135 | | +\$270 | |
| | | | | | TOTAL | | TOTAL | |

- ☒ Firm check totalling \$ 830.00 is enclosed herewith.
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 210052.0013) as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee(s).
- ☐ RCE fee in the amount of \$____.00.
- ☐ Extension fee in the amount of \$____.00
- ☐ Additional claim fee(s) in the amount of \$____.00 as calculated above
- ☒ Any additional fees required under 37 C.F.R. §§ 1.16 or 1.17.
- ☒ In the event that a Petition for Extension of Time is required, but not enclosed, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS

December 30, 2002 By: William W. Schwarze
(Date)

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Enclosures



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BY:

Victor A. Jones

DATE:

12/30/02

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1-29-03

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PRELIMINARY AMENDMENT ACCOMPANYING RCE REQUEST

This Amendment is in response to the Office Action dated March 22, 2002 (Paper No. 24) and is in connection with the filing herewith of a Request for Continued Examination (RCE). A Petition for One-Month Extension of Time and Notice of Appeal were timely filed on July 22, 2002 (received by the Patent Office on July 29, 2002), and a Petition for Three Month Extension of Time to December 30, 2002 (December 29 being a Sunday), so that the RCE request is being timely filed.

In the Claims:

Please amend claim 1 read as follows. A marked-up copy of claim 1 showing the additions and deletions in the usual manner is attached hereto.

--1. (Twice Amended) A method for effecting a superficial chemical skin peel which comprises topically applying to skin to be treated a solution of salicylic acid containing at least 15 wt % up to a saturation concentration of salicylic acid, based on the weight of the solution, in a dermatologically acceptable, volatile, liquid solvent, and allowing the salicylic acid to be present as a solution on a surface of the skin for a time sufficient to produce a chemical peel of stratum corneum of the skin with viable epidermis remaining substantially intact. --